

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
BUDGET PREPAY, INC.,)	
for designation as a non-rural eligible)	Case No. U-16136
telecommunications carrier pursuant to)	
Section 214(e)(2) of the Communications Act of 1934.))	
_____)	

At the December 20, 2016 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER

On November 17, 2009, Budget PrePay, Inc. (Budget PrePay) filed an application, pursuant to Section 214(e)(2) of the federal Communications Act of 1934, 47 USC 214(e)(2), for designation as an eligible telecommunications carrier (ETC) for purposes of receiving universal service fund (USF) support as a provider of wireline Lifeline and Link-up services. On March 18, 2010, the Commission issued an order approving the application.

On November 23, 2016, Budget PrePay filed an application requesting to relinquish its ETC designation effective December 30, 2016. The application applies only to Budget PrePay's wireline ETC service area. The application states that Budget PrePay no longer has any subscribers of wireline Lifeline supported services in Michigan. Budget PrePay also states that it

intends to cease the provision of all wireline service to both Lifeline and non-Lifeline subscribers in Michigan.

47 USC 214(e)(4) provides as follows:

A State commission . . . shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. . . Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission . . . shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission . . . shall establish a time, not to exceed one year after [approval of] such relinquishment under this paragraph, within which such purchase or construction shall be completed.

See also, 47 CFR 54.205. Thus, relinquishment may be granted to a carrier for any area that is served by more than one ETC.

On November 30, 2016, Budget PrePay submitted supplemental information. Budget PrePay provided examples of several Lifeline-only ETC's that currently provide service throughout Budget PrePay's service area, including TracFone Wireless (SAC 319021), i-wireless (SAC 319029), Boomerang Wireless (SAC 319036), American Broadband and Telecommunications Company (SAC 319032), and Q Link Wireless (SAC 319035).

Since there are no customers that will be affected by this relinquishment and the applicant has shown there to be several providers of Lifeline in their service area, the Commission authorizes the relinquishment of Budget PrePay's ETC designation (SAC 319024) effective December 30, 2016.

THEREFORE, IT IS ORDERED that the wireline eligible telecommunications carrier designation of Budget PrePay, Inc., is relinquished effective December 30, 2016.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of December 20, 2016.

Kavita Kale, Executive Secretary